

## 1978 No. 1131

## SOCIAL SECURITY

**The Mobility Allowance (Motability Payment Arrangements)  
Regulations 1978**

*Made* - - - 2nd August 1978

*Laid before Parliament* 10th August 1978

*Coming into Operation* 31st August 1978

The Secretary of State for Social Services, in exercise of the powers conferred upon him by section 81(1) and (4)(d) of the Social Security Act 1975(a) and of all other powers enabling him in that behalf, after reference to the National Insurance Advisory Committee, hereby makes the following regulations:—

*Citation, commencement and interpretation*

1.—(1) These regulations, which may be cited as the Mobility Allowance (Motability Payment Arrangements) Regulations 1978, shall come into operation on 31st August 1978.

(2) In these regulations, “Motability” means the company, set up under that name as a charity, and incorporated under the Companies Acts 1948 to 1976(b), Registered No. 1348959.

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(c) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

*Payment of mobility allowance on behalf of beneficiary*

2. Where, under arrangements made or negotiated by Motability, an agreement has been entered into by or on behalf of a beneficiary in respect of whom mobility allowance is payable for the leasing or hire-purchase of a vehicle, the Secretary of State may arrange that any mobility allowance payable to the beneficiary for the period ending with the termination of the lease of, or as the case may be with the purchase of, the vehicle or, if earlier, with the date on which the vehicle is returned to the lessor in accordance with the terms of the agreement, be paid, in whole or in part, on behalf of the beneficiary, in settlement of liability for payments due under the agreement during that period.

Signed by authority of the Secretary of State for Social Services.

*Stanley Orme,*

Minister for Social Security,  
Department of Health and Social Security.

2nd August 1978.

(a) 1975 c. 14.

(b) See 1976 c. 69, s. 45(2).

(c) 1889 c. 63.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations prescribe the circumstances in which mobility allowance payable under section 37A of the Social Security Act 1975, as inserted in that Act by section 22 of the Social Security Pensions Act 1975 (c.60), may be paid to someone other than the beneficiary where that beneficiary is provided with a vehicle under arrangements made by the charitable organisation known as Motability.

The Report of the National Insurance Advisory Committee dated 19th July 1978 on the draft of these Regulations referred to them is contained in Command Paper (Cmnd. No. 7307) published by Her Majesty's Stationery Office.

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